

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

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MARIE L. BANKS, :
: Plaintiff, :
: :
- against - :
: :
SIMMONS FIRST NATIONAL BANK, et. al, : 97 CV 4805
: :
Defendants. :
----- X

A P P E A R A N C E S :

MARIE L. BANKS
141 East 31st Street
Brooklyn, New York 11216
Plaintiff *Pro se*

RICHARD LEFFER
Chief Deputy Nassau County Attorney
1 West Street
Mineola, New York 11501
By: Liora M. Ben-Sorek
Deputy County Attorney
Attorney for Nassau County Defendants

MONTFORT, HEALY, McGUIRE & SALLEY
1140 Franklin Avenue
P.O. Box 7677
Garden City, New York 11530
By: James Murphy
Attorney for Defendant Police Officer Green

JOHN GLEESON, United States District Judge:

Marie Lourdes Banks brought this *in forma pauperis* action alleging, among other things, that a vast array of people, including police officers, doctors, bankers, judges, and even Soviet spies, conspired to have her involuntarily committed to the Nassau County Medical

Center during March of 1997, the object of the conspiracy being to deprive her of her home through foreclosure proceedings in the meantime. In addition, Banks alleges that the New York Department of Social Services sold her child.

The case was originally assigned to Judge Sifton, who issued two memorandum opinions dismissing many of the plaintiff's claims for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6). Remaining to be decided, however, is a motion by all Nassau County defendants, including several unnamed medical professionals at the Nassau County Medical Center, for summary judgment dismissing the remainder of Banks' claims as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i).

Section 1915 requires the Court to dismiss an *in forma pauperis* civil action "at any time if the court determines that ... the action ... is frivolous." *Id.* As the Supreme Court has explained, § 1915 thus grants the "power to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless," including those "describing fantastic or delusional scenarios." *Neitzke v. Williams*, 490 U.S. 319, 327 (1989). Because I am fully satisfied that the allegations in the instant complaint are the product of the plaintiff's mental disorders, I dismiss the remaining claims against all defendants.

Out of respect for the plaintiff, I will not recite the many manifestations of her psychoses here; an interested party may gain a sense of them by perusing any of the plaintiffs' letters to the Court in this action. The plaintiff is simply in need of help that the judiciary cannot afford her.

All remaining claims in this action are dismissed. The Clerk is respectfully directed to close the case. I further certify pursuant to § 1915(a)(3) that any appeal from this

order would not be taken in good faith.

So ordered.

John Gleeson, U.S.D.J.

Dated: Brooklyn, New York
May 19, 2006